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**E-FILED ON JUNE 9, 2006**

and

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 Attorneys for Debtors

**UNITED STATES BANKRUPTCY COURT  
 DISTRICT OF NEVADA**

In re:  
 USA COMMERCIAL MORTGAGE COMPANY,  
 Debtor.

Case Nos. BK-S-06-10725 LBR  
 Case Nos. BK-S-06-10726 LBR  
 Case Nos. BK-S-06-10727 LBR  
 Case Nos. BK-S-06-10728 LBR  
 Case Nos. BK-S-06-10729 LBR

In re:  
 USA CAPITAL REALTY ADVISORS, LLC,  
 Debtor.

Chapter 11

In re:  
 USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,  
 Debtor.

In re:  
 USA CAPITAL FIRST TRUST DEED FUND, LLC,  
 Debtor.

In re:  
 USA SECURITIES, LLC,  
 Debtor.

**DECLARATION IN SUPPORT OF  
 EX PARTE APPLICATION FOR  
 ORDER SHORTENING TIME TO  
 HEAR DEBTORS' MOTION FOR  
 ORDER APPROVING AGREEMENT  
 WITH INVESTMENT PARTNERS  
 (AFFECTS ALL DEBTORS)**

Affects:  
☒ All Debtors  
☐ USA Commercial Mortgage Company  
☐ USA Securities, LLC  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA First Trust Deed Fund, LLC

Date: OST Requested for June 21, 2006  
 Time: OST Requested for 9:30 a.m.

1 Lenard E. Schwartz, Esq. of Schwartz & McPherson Law Firm, attorney for the above  
2 captioned debtors and debtors in possession (the "Debtor"), under penalties of perjury, hereby  
3 declares on this 9<sup>th</sup> day of June, 2006 that:

4 1. A Debtors' Motion For Order Approving Agreement With Investment Partners (the  
5 "Motion") has been filed. This Motion requests an order of the Court approving the security  
6 agreement and related promissory note recently given by USA Investment Partners, LLC to  
7 document a \$58.3 million obligation owed by Investment Partners and to provide collateral for  
8 that obligation (and other obligations owed by Investment Partners).

9 2. Notice can be shortened pursuant to Bankruptcy Rule 9006(c)(1) and LR 9006(a).

10 3. This Motion is requested to be heard on shortened time because the Debtor needs to  
11 be able to enforce the security interest and is at risk until court approval is granted. The security  
12 agreement must also be fully vetted with creditors before it can be enforced. Omnibus hearings  
13 are currently scheduled in this matter on June 21, 2006 at 9:30 a.m. to hear other motions, and  
14 holding a hearing on the Motion at the same time would serve the interests of judicial economy.  
15 Further, the next hearing scheduled in this case is not until July 25, 2006, well after the time  
16 negotiations concerning a plan are anticipated to occur.

17 Dated: June 9, 2006

18  
19 /s/ LENARD E. SCHWARTZER  
Lenard E. Schwartz, Esq.

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